

REMARKS

Claims 1, 3 through 9 and 11 through 23 are pending in this application. Claims 1, 9 and 21 through 23 are amended in several particulars for purposes of clarity in accordance with current Office policy, to assist the examiner and to expedite compact prosecution of this application. Claims 2 and 10 have been canceled without prejudice or disclaimer of its subject matter. The Applicant appreciates the Examiner's indication of allowance concerning claims 3, 11, 17-20 and the allowability of claims 2, 5-8, 10, 13-16 and 21-23.

I. Claim Rejections - 35 USC § 103

According to MPEP 706.02(j), the following establishes a *prima facie* case of obviousness under 35 U.S.C. §103:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the

reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 1, 4, 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art (Fig. 1) in view of Hansell, III et al. (USPN 5,176,538). The Applicant respectfully traverses.

Claims 1, 4, 9 and 12 should be allowable since claim 1 includes allowable claim 2, claim 4 is dependent on claim 1, claim 9 includes allowable claim 10 and claim 12 is dependent on claim 9.

II. ALLOWABLE SUBJECT MATTER

The examiner stated that Claims 2, 5-8, 10, 13-16 and 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Following the advice of the examiner, the claims were rewritten in independent form including all of the limitation of the base claim and any intervening claims. Claim 2 was incorporated into claim 1, and claim 10 was incorporated into claim 9. Therefore, claims 1, 4-9, 12-16 and 21-23 should be allowed.

III. ENTRY OF AMENDMENTS

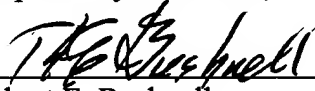
Entry of the foregoing amendments to claims 1, 9 and 21-23 are proper under 37 C.F.R. §1.116(b) because those amendments simply respond to the issues raised in the final rejection, no new issues are raised, no further search is required, and the foregoing amendments are believed to remove the basis of the outstanding rejections and to place all claims in condition for allowance. The foregoing amendments, and explanations, could not have been made earlier because they are merely responsive to issues newly raised in Paper No. 0904.

Moreover, the amendments were made according to the suggestions of the Examiner concerning the objected to but allowable claims as seen in the amendments of claims 1 and 9. Amendments to claims 21-23 were made for formality reasons to correct antecedent basis after allowable claim 2 was incorporated into claim 1.

In view of the foregoing amendments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. If there are any questions, the examiner is asked to contact the applicant's attorney.

No fee is incurred by this Amendment. Should there be a deficiency in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,


Robert E. Bushnell
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

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